



Docket No.: G0126.0199/P199

(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Yoshinobu Murai

Application No.: 09/779,269

Filed: February 8, 2001

For: PORTABLE TYPE VOICE

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Examiner: J. R. Jackson

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INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

## Timing of Filing of the Information Disclosure Statement:

	This IDS is being filed before the First Office Action'.
$\boxtimes$	This IDS is being filed after the issuance of the First Office Action but before the
	issuance of a Final Office Action <sup>2</sup> .

<sup>&</sup>lt;sup>1</sup> The IDS should, where possible, include a certification under 37 C.F.R. §1.97(e).

	This IDS is being filed after the issuance of a Final Office Action but before the payment of the Final Fee <sup>3</sup> .	
Certif	fications:	
If che	cked, the undersigned makes the following statement(s):	
$\boxtimes$	Statement under 37 CFR § 1.97(e):	
	Each item of information contained in this information disclosure statement was	
	first cited in any communication from a foreign patent office in a counterpart	
	foreign application not more than three months prior to the filing of this	
	information disclosure statement; or	
	No item of information contained in this information disclosure statement was cited	
	in a communication from a foreign patent office in a counterpart foreign	
	application, and, to the knowledge of the undersigned after making reasonable	
	inquiry, no item of information contained in this information disclosure statement	
was known to any individual designated in § 1.56(c) more than three m		
	to the filing of the information disclosure statement.	
	Statement Under 37 C.F.R. § 1.704(d):	
	Each item of information contained in this information disclosure statement was	
	cited in a communication from a foreign patent office in a counterpart application	
	and this communication was not received by any individual designated in §1.56(c)	
	more than thirty days prior to the filing of this information disclosure statement.	

## Fee Required by 37 C.F.R. § 1.97(c)(2) or 1.97(d)(2):

<sup>&</sup>lt;sup>2</sup> The IDS must include either a certification under 37 C.F.R. §1.97(e) or the fee set forth in 37 C.F.R. §1.17(p).

<sup>&</sup>lt;sup>3</sup> The IDS *must* include *both* a certification under 37 C.F.R. §1.97(e) *and* the fee set forth in 37 C.F.R. §1.17(p).

	If checked, the fee of \$180.00 set forth in 37 C.F.R. \$1.17(p) is attached.		
Copie	es of Information:		
In acc	fordance with 37 C.F.R. §1.98(a), the following are enclosed:		
$\boxtimes$	A legible copy <sup>4</sup> of each document (or relevant portion thereof) is cited in the attached PTO/SB/08.		
	With respect to any information which is not in English, a concise explanation of the relevance, as it is presently understood by the individual designated in § 1.56(c) most knowledgeable about the content of the information, is attached. This concise explanation is provided by way of:		
	A translation of the relevant portions of the non-English language information <sup>5</sup> ;		
	A statement explaining the relevant portions of the non-English language information;		
	A copy [and, where not in the English language, a translation] of at least the relevant portion(s) <sup>6</sup> of the communication from a foreign patent office in a counterpart foreign application in which the information was cited; or		

<sup>&</sup>lt;sup>4</sup> A legible copy of the document is not required if (1) the information was previously cited by, or submitted to, the Office and considered by the Office in a prior U.S. application to which this application claims priority, provided that the prior application is properly identified in this IDS, and (2) the IDS submitted in the earlier application complies with 37 C.F.R. § 1.98(a) – (c). This exception does not apply to information cited in an International Application.

<sup>&</sup>lt;sup>5</sup> 37 C.F.R. §1.98(a)(3)(ii) requires that an English language translation be provided when a translation of the document, or portion thereof, "is within the possession, custody or control of, or is readily available to any individual designated in 37 C.F.R. § 1.56(c)."

<sup>&</sup>lt;sup>6</sup> The relevant portion is that portion which indicates the degree of relevance found by the foreign patent office. This may be an explanation of which portion of the of the reference is particularly relevant, to which claims it applies, or merely an "X", "Y", or "A" indication on a search report. MPEP §609 III A(3).

	This information is contained in the spe	ecification of the preser	1t		
	application.				
	In accordance with 37 C.F.R. 1.98(d), copies of the cited documents are not				
enclos	sed as they were provided in application Serial No.	, filed	,		
which	the present application relies upon for an earlier effect	ive filing date under 35	U.S.C.		
120.					

## Materiality:

Whether or not the information and references disclosed in this Information Disclosure Statement is "material" pursuant to 37 CFR 1.56, this submission is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

In the event the actual fee is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 50-2215.

Dated: February 13, 2004

Respectfully submitted,

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